#### **SCHEDULE**

**FOR** 

AT&T COMMUNICATIONS OF NEW HAMPSHIRE, INC.

56/64 KBPS SWITCHED DIGITAL SERVICE

**INCLUDING** 

REGULATIONS
AND
SCHEDULES OF RATES
APPLYING IN THE STATE OF NEW HAMPSHIRE

This tariff is canceled effective July 21, 1996. Switched Digital Service within the State of New Hampshire, may be obtained through AT&T Communications of New Hampshire, Inc., Tariff P.UC. No. 1.

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Effective December 12, 1991

By Lee J. Globerson, Tariff Administrator 32 Avenue of the Americas, New York, N.Y. 10013 Filed in Compliance with Order No. 20,300 in Docket DR 91-173, dated November 12, 1991.

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#### TARIFF INFORMATION

#### A. General

This tariff contains the regulations and rates applicable to intrastate 56/64 Kbps Switched Digital Service.

### B. <u>Tariff Structure</u>

This tariff is subdivided into three major sections that describe the terms, conditions, and rates under which 56/64 Kbps Switched Digital (T) Service is offered. These sections are:

Section 1. Application - Defines the scope of this tariff. (T)

Section 2. General Regulations - The General Regulations applicable to 56/64 Kbps Switched Digital Service. (T)

Section 3. Rate Determination - Mileage Measurements, Usage (T)
Charges and Rate Schedule applicable to 56/64 Kbps (N)
Switched Digital Service. (N)

# C. Location of Material

To locate material in this tariff, refer to the Master Table of Contents on Page 1 for the page number of the Section desired. For a more precise listing, refer to the detailed Table of Contents that starts on Page 2.

## D. Abbreviations and Definitions

For a list of the abbreviations used in this tariff see Explanation of Abbreviations on page 4 following. In addition, the General Regulations section contains a "Definitions" subsection that defines certain technical terms and terms that have specific meaning within the context of this tariff (see Definitions, Section 2). (T)

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## E. Tariff Format

## 1. Page Numbering

Page numbers appear in the upper right-hand corner of the page. Pages are numbered sequentially. When a new page is added between existing pages with whole numbers, a decimal is added. For example, a new page added between pages 10 and 11 would be 10.1.

# 2. Page Revision Numbers

Revision numbers also appear in the upper right-hand corner of the page. These numbers are used to determine the most current page version on file. For example, the 4th revised page 10 cancels the 3rd revised page 10. A revision may be suspended by the New Hampshire Public Utilities Commission for further review and consideration. Consult supplements for the page currently in effect.

# 3. Numbering Sequence

There are nine levels of alphanumeric coding. Each level is subservient to its next higher level. The following is an example of the numbering sequence used in this tariff.

2. 2.1. 2.1.1. 2.1.1.A. 2.1.1.A.1. 2.1.1.A.1.a. 2.1.1.A.1.a.I. 2.1.1.A.1.a.I.(i) 2.1.1.A.1.a.I.(i)(1)

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# 4. References To Other Rate Schedules

Whenever reference is made to other rate schedules, the reference is to the rate schedules in force as of the effective date of the reference, and to amendments thereto and successive issues thereof.

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# F. Supplements

If a tariff page is suspended, it cannot be revised until the suspension is ended. In the meantime, a new filing that would normally revise a suspended page can be made by issuing a supplement. The supplement amends the existing revision of the tariff page and does not affect the suspended page. A supplement may also be suspended because it is subject to the same review and acceptance by the New Hampshire Public Utilities Commission as any other filing.

# G. Explanation of Symbols - Coding of Tariff Revisions

Revisions to this tariff are coded through the use of symbols. These symbols appear in the right-hand margin of the page. The symbols and their meanings are:

R - to signify reduction.

I - to signify increase.

C - to signify changed regulation.

T - to signify a change in text but no change in rate or regulation.

S - to signify reissued matter.

M - to signify matter relocated without change.

N - to signify new rate or regulation.

D - to signify discontinued rate or regulation.

Z - to signify a correction.

Other marginal codes are used to direct the tariff reader to a footnote for specific information. Codes used for this purpose are lowercase letters of the alphabet (e.g., x, y and z). These codes may appear beside the page revision number in the page header or in the right-hand margin opposite specific text.

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TARIFF INFORMATION

#### Η. Trademarks and Service Marks

COMMISSION The following marks, to the extent, if any, tariff, are trademarks and service marks of the Aperican Telephone and Telegraph Company.

Trademarks

Service Marks

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None

None

## I. Explanation of Abbreviations

AT&T - American Telephone and Telegraph Company

dB - decibel

FCC (F.C.C.) - Federal Communications Commission

- hertz

Inc. - Incorporated

Kbps - Kilobits per second

kHz - Kilohertz

LDMTS - Long Distance Message Telecommunications Service

MHz - megahertz

NPA - Numbering Plan Area V&H - Vertical and Horizontal

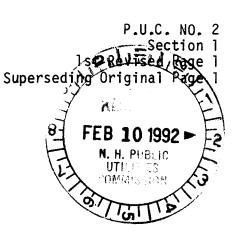
# Technical Publication Information

Technical Publications may be ordered from:

AT&T CIC G.P.O. Box 19901

Indianapolis, IN 46219

State of New Hampshire



56/64 KBPS SWITCHED DIGITAL SERVICE

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SECTION 1

APPLICATION OF TARIFF

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56/64 KBPS SWITCHED DIGITAL SERVICE FEB 10 1992 -

SECTION 1 - APPLICATION OF TARKET UTILITIES COMMISSION

## 1.1. APPLICATION

## 1.1.1. General

This tariff contains the regulations and rates applicable to 56/64 Kbps Switched Digital Service between two stations in the (T) State of New Hampshire.

# 1.1.2. Jurisdiction

Jurisdiction refers to the classification of a 56/64 Kbps Switch Digital Service call as intrastate or interstate. Jurisdiction is a matter of law, not of Company discretion or policy, or Customer preference. The law describing what constitutes interstate jurisdiction is the Communications Act of 1934, as amended. Some portions of this service are only subject to the jurisdiction of the Federal Communications Commission. This tariff covers the portion of service subject to the New Hampshire Public Utilities Commission's jurisdiction.

#### 1.2. DESCRIPTION

# 1.2.1. General

56/64 Kbps Switched Digital Service is furnished for the switching and transmission of 56 Kbps digital signals and may also be used for the transmission of 64 Kbps digital signals when the access lines are furnished with a 64 Kbps capability.
56/64 Kbps Switched Digital Service consists of a common user digital network which is furnished between designated AT&T Central Offices for service within the state.

56/64 Kbps Switched Digital Service offers a Customer dialable, digital service which is capable of switching simultaneous, two-way transmission of 56/64 kilobits per second of data. The service includes a usage sensitive component which utilizes the AT&T switched digital network.

The Company does not transmit messages. However, 56/64 Kbps (T) Switched Digital Service may be used for that purpose.

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56/64 KBPS SWITCHED DIGITAL SERVICE

SECTION 1 - APPLICATION OF TARIFF

## 1.3. REGULATIONS

#### 1.3.1. Provision of Service

56/64 Kbps Switched Digital Service is fully supported by the Company through engineering, installation and maintenance efforts. The Company will assure that it functions properly within its specified transmission and switching parameters.

#### A. Engineering

The Company will engineer to the specifications and parameters of the service provided.

#### B. <u>Installation</u>

When installation of a component is required, it will be installed subject to the availability of installation personnel and equipment. Installations will usually be made during normal working hours.

#### C. Maintenance

The Company will maintain and repair the services which it provides.

# 1.3.2. <u>Transfer or Assignment</u>

56/64 Kbps Switched Digital Service may be transferred or assigned to a new Customer, provided that:

- A. The Customer of record (former Customer) requests in writing that the Company transfer or assign the service to the new Customer.
- B. The new Customer notifies the Company in writing that it agrees to assume all obligations of the former Customer at the time of transfer or assignment. These obligations include: (1) all outstanding indebtedness for the service, and (2) the unexpired portion of any applicable minimum payment period(s).

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56/64 KBPS SWITCHED DIGITAL SERVICE

SECTION 1 - APPLICATION OF TARIFF

#### 1.3. REGULATIONS (Continuea)

- 1.3.2. Transfer or Assignment (Continued)
  - C. The service is not interrupted or relocated at the time the transfer or assignment is made.
  - D. The Company agrees in writing to the transfer or assignment.

The transfer or assignment does not relieve or discharge the former Customer from remaining jointly and severally liable with the new Customer for any obligations existing at the time of transfer or assignment. These obligations include: (1) all outstanding indebtedness for the service, and (2) the unexpired portion of any applicable minimum payment period(s).

## 1.4. PROVISION OF ACCESS LINES

# 1.4.1. Special Access Lines Provided by AT&T Communications

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A special access line and the appropriate Central Office Connection are required to connect a Customer's premises to an AT&T Central Office for 56/64 Kbps Switched Digital Service.

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Special access lines are obtained from AT&T Communications Interstate Tariff F.C.C. No. 11 (Private Line Local Channels) as appropriate. Central Office Connections are obtained from AT&T Communications Interstate Tariff F.C.C. No. 9 (DATAPHONE Digital Service or ACCUNET T1.5 Service).

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Special access lines provided by AT&T Communications for use with 56/64 Kbps Switched Digital Service are subject to the regulations of the tariffs under which they are furnished. Central Office Connections are purchased from AT&T Tariff F.C.C. No. 9 even if Customers provide their own access. Minimum usage charges as described in Tariff F.C.C. No. 4 apply to all access lines connected to 56/64 Kbps Switched Digital Service.

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When the access lines to a 56/64 Kbps Switched Digital Service are obtained from a 1.544 Mbps service utilizing the Primary Rate Interface office function furnished under AT&T Tariff F.C.C. No. 9, 64 Kbps digital signals can be transmitted on a two-point basis over the 56/64 Kbps Switched Digital Service without additional charge.

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SECTION 1 - APPLICATION OF TARIFF

# 1.4. PROVISION OF ACCESS LINES (Continued)

# 1.4.2. Access Lines Provided by Others

Access lines for use with 56/64 Kbps Switched Digital Service may also be provided by the Customer and must be electrically compatible. The Company is not responsible for the performance and maintenance of access lines provided by others. The Customer must make all the arrangements concerning the connected service with its provider of the service.

# 1.4.3. 56/64 Kbps Switched Digital Service Calls

- A. 56/64 Kbps Switched Digital Service calls are furnished between (T)access lines served by the same AT&T Central Office for 56/64 Kbps Switched Digital Service or between different AT&T (T)Central Offices for 56/64 Kbps Switched Digital Service. (T)
- B. Calls between two Customer premises within the state that are (T)served by the same AT&T Central Office for 56/64 Kbps Switched (T) Digital Service, are calls between access lines. At the AT&T Central Office for 56/64 Kbps Switched Digital Service the access (T)lines are switched together to complete the call. The usage is furnished at the zero mileage band rates.
- C. Calls between two Customer premises within the state, served by different AT&T Central Offices for 56/64 Kbps Switched Digital (T)Service are calls between 56/64 Kbps Switched Digital Service Central Offices. At the AT&T Central Office for 56/64 Kbps Switched Digital Service the access lines are switched to the common user digital network to complete the call. Usage charges (N)for these calls are as defined in 3.2. of this tariff. (N)

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State of New Hampshire

#### 56/64 KBPS SWITCHED DIGITAL SERVICE

SECTION 1 - APPLICATION OF TARIFF

## 1.4. PROVISION OF ACCESS LINES (Continued)

# 1.4.4. Availability of 56/64 Kbps Switched Digital Service

- A. The AT&T Central Offices presently equipped to furnish 56/64 Kbps (T) Switched Digital Service have been designated by the Company and are identified in AT&T Communications Interstate Tariff F.C.C. No. 10.
- B. A call can access the 56/64 Kbps Switched Digital Service network (T) at designated AT&T Central Offices via an access line. Access lines are provided as set forth in 1.4.1. and 1.4.2.
- C. Access lines are connected at the AT&T Central Office for 56/64 Kbps Switched Digital Service for switching to: (T)
  - Another access line for communications between two Customer's (T) premises within the state that are served by the same AT&T Central Office for 56/64 Kbps Switched Digital Service. (T)
  - 2. The common user network for communications, between two premises in different 56/64 Kbps Switched Digital Service (T) cities.
- D. Customer-provided premises equipment is required to terminate a (T) 56/64 Kbps Switched Digital Service call. Technical (T) Publication PUB 41458 sets forth the specifications of this equipment (see Technical Publication Information).
- E. Service is offered subject to the availability of the equipment (1) required.

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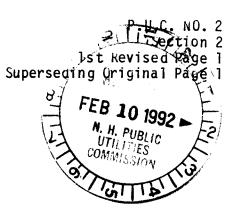
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56/64 KBPS SWITCHED DIGITAL SERVICE

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SECTION 2

GENERAL REGULATIONS

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#### State of New Hampshire

56/64 KBPS SWITCHED DIGITAL SERVICE

SECTION 2 - GENERAL REGULATIONS

## 2.1. UNDERTAKING OF THE COMPANY

## 2.1.1. General

56/64 Kbps Switched Digital Service is furnished for switching of transmission simultaneous two-way 56/64 Kbps digital signals. It (T) consists of a common user digital network which is furnished between designated AT&T Central Offices.

56/64 Kbps Switched Digital Service is available twenty-four (T) hours a day, seven days per week.

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# 2.1.2. <u>Transmission Medium</u>

The Company selects and/or arranges for the channels and/or service components used to provide 56/64 Kbps Switched Digital Service. Any suitable technology or combination of technologies may be used. The Company may modify or change the channels and service components used to furnish 56/64 Kbps Switched Digital Service at any time subject to the regulations in 2.8.3. of this tariff.

# 2.1.3. Provision of Customer Equipment

Customer equipment may be used with 56/64 Kbps Switched Digital (T) Service. The Company does not provide Customer equipment.

# 2.1.4. Through Transmission of Signals

The Company is responsible for the provision of 56/64 Kbps (T) Switched Digital Service from station to station. It is not responsible for the quality of transmission or signaling on the Customer's side of the interface at a Customer's premises.

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SECTION 2 - GENERAL REGULATIONS

2.1. UNDERTAKING OF THE COMPANY (Continued)

2.1.5. Availability of 56/64 Kbps Switched Digital Service

#### A. Availability

- Subject to compliance with B. following, where a shortage of service components exists at any time either for temporary or protracted periods, the establishment of two-point LDMTS shall take precedence over all other services provided by the Company.
- 2. Service is furnished subject to the availability of the service components required. The Company will determine which of those components shall be used and make modifications to those components at its option.
- 3. Service will be provided where facilities and billing capability are available.

# B. Restoration of Service

The use and restoration of 56/64 Kbps Switched Digital Service (T) will be in accordance with Part 64, Subpart D, of the F.C.C.'s Rules and Regulations.

#### 2.2. USE

Every facility and service is furnished subject to the rates, rules and regulations adopted from time to time by the Company.

#### 2.2.1. General

56/64 Kbps Switched Digital Service may be used for any lawful (T) purpose consistent with the transmission and switching parameters of the telecommunications network. 56/64 Kbps Switched Digital (T) Service is furnished for use by the Customer but may be used by others when so authorized by the Customer.

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SECTION 2 - GENERAL REGULATIONS

#### 2.2. USE (Continued)

#### 2.2.2. Abuse

The abuse of 56/64 Kbps Switched Digital Service is prohibited. (T) The following activities constitute abuse:

- A. Using 56/64 Kbps Switched Digital Service to make calls which might reasonably be expected to frighten, abuse, torment, or harass another. (T)
- B. Using 56/64 Kbps Switched Digital Service in such a way that it interferes unreasonably with the use of other Company services.

#### 2.2.3. Fraudulent Use

The fraudulent use of, or the intended or attempted fraudulent use of, 56/64 Kbps Switched Digital Service is prohibited. The (T) following activities constitute fraudulent use:

- A. Using 56/64 Kbps Switched Digital Service to transmit a message, (T) locate a person, or otherwise give or obtain information, without payment for the service.
- B. Using or attempting to use 56/64 Kbps Switched Digital Service (T) with the intent to avoid the payment, either in whole or in part, of the tariffed charges for the service by:
  - Rearranging, tampering with, or making connections not authorized by this tariff to any service components used to furnish 56/64 Kbps Switched Digital Service.
  - Using fraudulent means or devices, tricks, schemes, false or invalid numbers, false credit devices, or electronic devices.

# 2.2.4. Use of 56/64 Kbps Switched Digital Service for Resale or Shared (T) Use

When 56/64 Kbps Switched Digital Service is resold or shared, the Customer may advise its User that a portion of the Customer's service is provided by this Company. However, the Customer shall not represent that this Company jointly participates in the provision of the Customer's services.

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SECTION 2 - GENERAL REGULATIONS

## 2.2. USE (Continued)

# 2.2.5. Allocation of Usage or Charges

The Company will not allocate the usage of 56/64 Kbps Switche Digital Service or the charges for such usage and is not responsible for the way the Customer allocates such usage or charges to its Users.

# 2.3. RESPONSIBILITIES OF THE COMPANY

## 2.3.1. Liability

- A. The Company's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a Customer or by any others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of 56/64 Kbps Switched Digital Service, and subject (T) to the provisions of B. through E. following, the Company's (T) liability, if any, shall not exceed an amount equal to the initial period charge provided for under this tariff for the 56/64 Kbps Switched Digital Service call for the period during (T) which the call was affected.
- B. The Company is not liable for damages associated with service, channels, or equipment which it does not furnish.
- C. The Company shall be indemnified, defended, and held harmless by the Customer and User against all claims, losses, or damages arising from the use of 56/64 Kbps Switched Digital Service (T) furnished pursuant to this tariff, involving the following:
  - 1. Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communication.
  - Claims for patent infringement arising from combining or using 56/64 Kbps Switched Digital Service furnished by the Company in connection with facilities or equipment furnished by others.
  - 3. All other claims arising out of any act or omission of others relating to 50/64 Kbps Switched Digital Service provided (T) pursuant to this tariff.

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SECTION 2 - GENERAL REGULATIONS

# 2.3. RESPONSIBILITIES OF THE COMPANY (Continued)

## 2.3.1. <u>Liability</u> (Continued)

- D. No license under patents (other than the limited license to use) is granted by the Company or shall be implied or arise by estoppel, with respect to any service offered under this tariff. The Company will defend the Customer and User against claims of patent infringement arising solely from the use by the Customer or User of 56/64 Kbps Switched Digital Service offered under this (T) tariff and will indemnify such Customer or User for any damages awarded based solely on such claims.
- E. The Company's failure to provide or maintain service under this tariff shall be excused by labor difficulties, governmental orders, civil commotions, natural catastrophe, and other circumstances beyond the Company's reasonable control.

# 2.4. RESPONSIBILITIES OF THE CUSTOMER

## 2.4.1. General

The Customer's general responsibilities are described in this section. When Customer equipment or a Customer-provided communications system is connected to 56/64 Kbps Switched Digital (T) Service, the Customer assumes additional responsibilities that are described in the Connections section of this tariff (See Section 2.8.).

# A. Payment of Bills and Compliance with Regulations

- The Customer is responsible for placing any necessary orders and complying with tariff regulations for 56/64 Kbps Switched (T) Digital Service and for assuring that its Users comply with tariff regulations.
- 2. The Customer is also responsible for the payment of bills for 56/64 Kbps Switched Digital Service. This includes payment (T) for 56/64 Kbps Switched Digital Service calls or services (T) originated at the Customer's number(s).

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56/64 KBPS SWITCHED DIGITAL SERVICE

SECTION 2 - GENERAL REGULATIONS

# 2.4. RESPONSIBILITIES OF THE CUSTOMER (Continued)

#### 2.4.1. General (Continued)

## B. Information the Customer Must Provide

When a Customer places an order for 56/64 Kbps Switched Digital (T) Service, the following information must be provided to the Company:

- 1. Billing name and address.
- 2. The name of the Customer who will be responsible for payment of charges.
- 3. The name and telephone number of a person who will act as the Customer's representative, if applicable.

## C. Agency Agreement

The Company will accept an order for service from an agent appointed by the Customer. An agency appointment must be sent to the Company in writing. If directed by the Customer, the bill for service will be sent to the agent. The bill will be issued in the name of the Customer, in care of the agent.

The Customer retains responsibility for compliance with Company regulations and any act or omission of the agent, regardless of any limitations the Customer may place on the agent's authority.

# 2.4.2. Availability for Maintenance, Testing or Modifications

The Customer must make 56/64 Kbps Switched Digital Service (T) available for maintenance, testing, or implementation of changes it has ordered, at any reasonable, mutually agreeable time.

Occasionally an impairment may only be evident at certain times (e.g., a certain hour of the day). In such cases, 56/64 Kbps (T) Switched Digital Service must be made available for testing during the same time periods if the trouble condition is to be corrected.

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By Lee J. Globerson, Tariff Administrator 32 Avenue of the Americas, New York, N.Y. 10013 Filed in Compliance with Order No. 20,300 in Docket DR 91-173, dated November 12, 1991.

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COMMISSION

56/64 KBPS SWITCHED DIGITAL SERVICE

SECTION 2 - GENERAL REGULATIONS

# 2.5. PAYMENTS AND CHARGES

#### 2.5.1. General

Usage charges will be stated as a function of use (e.g., per connection or per unit of time). Usage charges apply for the period of time that service is furnished. Usage charges will be billed in arrears.

# 2.5.2. Application of Charges

The rates and charges that are in effect in this tariff when 56/64 Kbps Switched Digital Service is furnished are the rates (T) and charges used to determine the Customer's bill.

# 2.5.3. Payment of Charges

Payment for 56/64 Kbps Switched Digital Service is due upon (T) presentation of the bill. 56/64 Kbps Switched Digital Service (T) may be denied for nonpayment of a bill (see Violation of Regulations, Section 2.7.).

# 2.5.4. Deposits

See AT&T Tariff F.C.C. No. 4. (T)

# 2.5.5. Advance Payments

An advance payment will be required before service is provided when a Customer has a history of late payments to the Company or when a Customer's financial responsibility is not a matter of record. The advance payment will not exceed an amount equal to the charges for one month's estimated usage charges for the service ordered. The advance payment will be credited to the Customer's initial bill. A deposit may apply in addition to an advance payment.

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SECTION 2 - GENERAL REGULATIONS

# 2.5. PAYMENTS AND CHARGES (Continued)

# 2.5.6. Credit Allowances for Interruptions

#### A. General

A credit allowance will be given when 56/64 Kbps Switched Digital (T) Service is interrupted, except as specified in B. following. An interruption period begins when the Customer reports 56/64 Kbps (T)Switched Digital Service to be interrupted and makes it available for testing and repair. An interruption period ends when 56/64 Kbps Switched Digital Service is operative. If the (T)Customer reports 56/64 Kbps Switched Digital Service to be (T)inoperative but declines to make it available for testing and repair, it is considered to be impaired, but not interrupted.

When 56/64 Kbps Switched Digital Service is interrupted, the (T)Customer will receive a credit allowance for those portions of the service provided by the Company.

# B. Credit Allowances for Interruptions

- 1. A credit allowance will be made for a 56/64 Kbps Switched (T) Digital Service call which is interrupted due to the failure of a component furnished under this tariff which results in:
  - a. One-way transmission (one party is unable to transmit to (T) the other), or
  - b. Involuntary disconnection (cut-off) of the call. (T)
- 2. To receive the proper credit, the Customer must notify the (T)Company and furnish the called number, the trouble experienced and the approximate time the call was placed. Credit allowances for access lines and central office connections are as set forth in the tariffs under which they are furnished.

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SECTION 2 - GENERAL REGULATIONS

# 2.5. PAYMENTS AND CHARGES (Continued)

# 2.5.6. Credit Allowances for Interruptions (Continued)

#### B. (Continued)

- 3. When a call, which is billed under this tariff, is interrupted due to cut-off or one-way transmission, the Customer will receive credit equivalent to six seconds (i.e., the last six seconds of the call).
- 4. When a wrong number is reached, a credit equivalent to the charge for the initial period will be granted when the Customer reports the situation to the Company.
- 5. The chargeable time for a call is determined by the duration (T) of the call. Chargeable time includes the initial period plus the additional time involved, if any, and is determined as follows:
  - a. Chargeable time begins when connection is established (T) between an originating Customer's premises and a terminating Customer's premises.
  - b. A connection is considered established when a call terminates in, or passes through, the first Customer equipment at the Customer's premises. It is the Customer's responsibility to furnish appropriate answer supervision so that chargeable time may begin.

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2.5. PAYMENTS AND CHARGES (Continued)

2.5.6. Credit Allowances for Interruptions (Continued)

C. When Credit Allowance Does Not Apply

Credit allowance does not apply for:

- Interruptions caused by the negligence of the Customer or others authorized by the Customer to use the Customer's service.
- Interruptions of service because of the failure of power, equipment, systems or connections not provided by the Company.
- 3. Interruptions during periods when the Customer elects not to release the service for testing and/or repair.
- 4. Interruptions during any period when the Customer or User has released an access line for maintenance or rearrangement purposes, or for the implementation of a Customer order.
- 5. Interruptions during periods when the Customer elects not to release an access line for testing and/or repair.

# 2.6. USE OF ANOTHER MEANS OF COMMUNICATIONS

# 2.6.1. <u>General</u>

If the Customer elects to use another means of communications during the period of interruption, the Customer must pay the charges for the alternative service used.

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SECTION 2 - GENERAL REGULATIONS

# 2.7. VIOLATION OF REGULATIONS

## 2.7.1. General

The Company may take immediate action to protect its services or interests when certain regulations contained in this tariff are violated. The specific regulations involved and the action(s) which will be taken by this Company are as specified in Section 2.7.2. and 2.7.3. following.

# 2.7.2. <u>Interference</u>, <u>Impairment or Improper Use</u>

The Company may temporarily restrict service immediately when the Customer is in violation of the following:

A. The Customer circumvents the Company's ability to charge for its services as specified in Section 2.2.3.B. (Fraudulent Use) preceding. In this case, the Company will make a reasonable effort to give the Customer prior notice before restricting service.

If a Customer fails to comply with Section 2.2. (Use) or 2.8.4.A. (Answer Supervision), the Company may, on ten days written notice by certified U.S. Mail to the Customer, deny requests for additional service and/or restrict service to that Customer. If the Company does not deny or restrict the service involved on the date of the ten days notice, and the Customer noncompliance continues, nothing contained herein shall preclude the Company's right to deny or restrict the service without further notice.

When a violation results in a denial for additional service and/or restriction of service, the denial and/or restriction will be removed when the Customer is in compliance with the regulation and so advises the Company.

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# 2.7. VIOLATION OF REGULATIONS (Continued)

# 2.7.3. Nonpayment of Charges

The Company may deny and/or restrict 56/64 Kbps Switched Digita (T) Service for nonpayment of charges due as specified in section 2.5.3. (Payment of Charges) preceding. A written notice will be sent to the Customer at least five days in advance of the restriction and/or denial of 56/64 Kbps Switched Digital (T)Service. Upon payment of charges the restriction and/or denial of 56/64 Kbps Switched Digital Service will be removed. (T)

#### 2.8. CONNECTIONS

#### 2.8.1. General

When Customer equipment or Customer-provided communication system is connected to a 50/64 Kbps Switched Digital Service access (T) line, the connection is subject to the regulations of the tariff under which the access line is provided.

The Company is responsible for the transmission quality of the service it provides. The Company is not responsible for the quality of transmission over a connected assembly.

# 2.8.2. Responsibilities of the Customer

When Customer equipment or a Customer-provided communications system is connected to 50/64 Kbps Switched Digital Service, the (T)Customer assumes responsibility for the connection as follows:

A. Compatibility with 50/64 Kbps Switched Digital Service (T)

The Customer is responsible for the compatibility of its equipment or system with 56/64 Kbps Switched Digital Service. (T) This responsibiliapplies at the initial installation and on a continuing basis as long as the connection is made.

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## 2.8. CONNECTIONS (Continued)

# 2.8.2. Responsibilities of the Customer (Continued)

#### B. Interference and Hazard

The operating characteristics of the Customer equipment or Customer-provided communications system connected to 56/64 Kbps Switched Digital Service must not interfere with, or impair, any of the services offered by this Company. In addition, they must not endanger the safety of Company employees or the public, damage or interfere with the proper functioning of Company equipment, or otherwise injure the public in its use of 56/64 Kbps Switched Digital Service.

# C. Changes to 56/64 Kbps Switched Digital Service

The Company is not obligated to alter or modify 56/64 Kbps (T) Switched Digital Service because of additions or changes to Customer equipment or a Customer-provided communications system.

# D. Testing and Maintenance

If a trouble condition occurs on an assembly, the Customer must determine whether the fault is in (1) the connected Customer equipment or Customer-provided communications system, or (2) 56/64 Kbps Switched Digital Service. The Company will test and maintain only 56/64 Kbps Switched Digital Service. (T)

The testing of 56/64 Kbps Switched Digital Service will usually be made from an AT&T Central Office. The Company will not dispatch a repair person to a Customer's or User's premises if a trouble condition (or suspected trouble condition) exists on the local exchange service. The Customer is responsible for requesting such dispatch from the provider of the local exchange service. The Customer is also responsible for the payment of such provider's charges, if any, for the dispatch.

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## 2.8. CONNECTIONS (Continued)

# 2.8.2. Responsibilities of the Customer (Continued)

# E. Temporary Surrender of Service

The Customer may be asked to surrender 56/64 Kbps Switched (T) Digital Service for purposes other than maintenance, testing or activity relating to a service order. If the Customer consents. credit will be given consistent with Section 2.5.6. of this tariff.

#### 2.8.3. Responsibilities of the Company

#### A. General

The Company will furnish and maintain its service components in a manner suitable for 56/64 Kbps Switched Digital Service. The (T) Company will make available information as required by Part 68 of the F.C.C.'s Rules and Regulations. In addition, the Company will be responsible for the compatibility of its equipment or services with 56/64 Kbps Switched Digital Service when such (T) equipment or services are connected to 56/64 Kbps Switched (T) Digital Service at an AT&T Central Office.

# B. Changes in Components, Operations, or Procedures

The Company is not responsible to any party if a change in its 56/64 Kbps Switched Digital Service components, operations, or (T) procedures, wnich is consistent with the Registration Program, (1) affects any facilities, Customer equipment or Customerprovided communications systems provided by others in any way, or (2) requires their modification in order to be used with 56/64 Kbps Switched Digital Service. However, if such changes (T)can be reasonably expected to materially affect the operating or transmission characteristics of 56/64 Kbps Switched Digital (T) Service or render any Customer equipment or Customer-provided communications system incompatible with 56/64 Kbps Switched (T) Digital Service, the Company will provide adequate notice, in writing, to allow the Customer an opportunity to maintain uninterrupted service.

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SECTION 2 - GENERAL REGULATIONS

#### 2.8. CONNECTIONS (Continued)

# 2.8.4. Connection to a Customer-provided Communications System or to Service(s) Provided by Others

Any system or service connected to 56/64 Kbps Switched Digital (T) Service offering must be operated and maintained so it will work satisfactorily with 56/64 Kbps Switched Digital Service. (T) Connections to 56/64 Kbps Switched Digital Service will be made in accordance with the following:

#### A. Answer Supervision

Answer supervision must be provided when a 56/64 Kbps Switched Digital Service offering is connected to switching equipment or a Customer-provided communications system which is not subject to Part 68 of the F.C.C. Rules and Regulations, 47 C.F.R. Part 68. In such cases, the equipment or system must provide answer supervision so that the measure of chargeable time begins upon the delivery of the 56/64 Kbps Switched Digital Service call to the switching equipment or to the equipment connected to the communications system and ends upon termination of the call by the calling party.

#### 2.9. DEFINITIONS

#### Access Line

A transmission path that connects a Customer premises to an AT&T Central Office.

#### AT&T Central Office

The physical point of access for a service to the AT&T interoffice network. Criteria for establishing AT&T Central Offices and a list of AT&T Central Offices with services provided are found in AT&T Communications F.C.C. Tariff No. 10.

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## 2.9. DEFINITIONS (Continued)

#### Bit

The smallest unit of information in the binary system of notation.

#### Call

A completed connection established between a calling station and one or more called stations.

#### Called Station

The station (e.g., telephone number) called, or the terminating point of a call.

#### Calling Station

The station from which a call originates.

#### Common User Network

A network furnished by this Company which may be used by more than one Customer.

#### Customer

The person, firm or corporation who applies for service and is responsible for the payment of charges and the compliance with the regulations of the Company.

# Customer-Provided Communications System

Dedicated private line channels and equipment (e.g., microwave or cable system) furnished by the Customer for communications between premises.

#### Direct Electrical Connection

A physical connection of the electrical conductors in a communications path.

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SECTION 2 - GENERAL REGULATIONS

#### 2.9. DEFINITIONS (Continued)

56/64 Kbps Switched Digital Service AT&T Central Office

An AT&T Central Office where 56/64 Kbps Switched Digital Service is (T) furnished.

### Local Exchange Company

A company which furnishes exchange telephone service.

#### Registered

A term which means compliance with and approval within the Registration Program.

#### Registration Program

Part 68 of the F.C.C.'s Rules and Regulations which permits Customer equipment to be directly connected to 56/64 Kbps Switched Digital (T) Service and certain circuits without the requirement for protective circuitry.

#### Station

Any location from which 56/64 Kbps Switched Digital Service calls can (T) be placed and/or received.

### Telecommunications Network

The MTS and WATS network provided by this Company.

#### User

A person or legal entity authorized by a Customer to communicate over the Customers 56/64 Kbps Switched Digital Service. (T)

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#### 56/64 KBPS SWITCHED DIGITAL SERVICE

#### SECTION 2 - GENERAL REGULATIONS

#### 2.10. PROMOTIONAL OFFERINGS

Periodically, AT&T may engage in promotional offerings or demonstrations of authorized 56/64 KBPS Switched Digital Services in order to retain existing Customers, to stimulate existing Customer usage, to attract new Customers, to win back former Customers, or to increase awareness of AT&T services. Such offerings will be limited to certain dates, times and/or locations. AT&T, upon seven (7) days notice to the Public Utilities Commission, will specify the rates, terms, conditions and time intervals applicable to each promotional offering.

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SECTION 3

RATE DETERMINATION

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SECTION 3 - RATE DETERMINATION

## 3.1. MILEAGE MEASUREMENTS

#### 3.1.1. General

- To determine the airline mileage between any two AT&T Central (T) Offices proceed as follows:
- A. Obtain the "V" and "H" coordinates for each AT&T Central Office. (T)
- B. Obtain the difference between the "V" coordinates of the two points. Obtain the difference between the "H" coordinates.

Note: The difference is always obtained by subtracting the smaller coordinates from the larger coordinate.

- C. Square each difference obtained in B. above. (T)
- D. Add the squares of the "V" difference and the "H" difference (T) obtained in B. above.
- E. Divide the sum of the squares obtained in D. above by 10. Round (T) to the next higher whole number if any fraction is obtained.
- F. Obtain the square root of the result obtained in E. This is the (T) airline distance in miles (fractional miles are rounded to the next higher whole number).

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SECTION 3 - RATE DETERMINATION

# 3.2. RATE APPLICATION

#### 3.2.1. General

The charges for 56/64 Kbps Switched Digital Service consist of (T) usage charges.

## 3.2.2. Rate Determination

- Usage charges for 56/64 Kbps Switched Digital Service depend on whether a call is between 56/64 Kbps Switched Digital Service (T) AT&T Central Offices within the state, or between access lines within 56/64 Kbps Switched Digital Service AT&T Central Offices. (T) Mileage rates vary by the airline mileage between AT&T Central Offices (as specified in Section 3.1.) and by time of day and day of week that a call is placed (as specified in Section 3.2.3.). (N)
- A. Calls Between Access Lines The rates for a call between access (T) lines within the same 56/64 Kbps Switched Digital Service AT&T (T) Central Office are the zero airline mileage rates.
- B. The following rates in Paragraph 3.3.1. apply to usage for a 56/64 Kbps Switched Digital Service call. Mileage rates apply to (N) all calls.

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SECTION 3 - RATE DETERMINATION

# 3.2. RATE APPLICATION (Continued)

# 3.2.2. Rate Determination (Continued)

- C. Applicable rates are determined by (1) airline mileage (see Mileage Measurements as specified in Section 3.1.), (2) time of day and day of week rates at the originator's calling location (i.e., day rates, evening rates, night and weekend rates, and holiday rates), and (3) initial period and additional period rates.
- D. The initial period is the initial 30 seconds, or fraction thereof, of a call. The additional period is the chargeable time for a call continuing beyond the initial period, and begins when the initial period ends. Additional period rates apply to each additional six-seconds, or fraction thereof. For the initial period, the rate applicable at the start of chargeable time at the calling station applies. For the additional period(s), the rate applicable is that rate which is in effect at the calling station when the additional period(s) begin. That is, if chargeable time begins during the evening rate period, the evening rate applies to the initial 30 seconds and to any six-second additional increments that the call continues during that rate period. If the call continues into a different rate period, the appropriate rates from the new rate period apply to any additional six-second increments occurring in the new rate period.
- E. When the computed mileage charge results in a charge expressed in mills or a fraction of a mill, the charge will be rounded down to the next whole cent if the fractional charge is less than 5 mills (e.g., \$4.254 would be rounded down to \$4.25), and rounded up to the next whole cent when the fractional charge is 5 mills or greater (e.g., \$4.255 would be rounded up to \$4.20).

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#### 56/64 KPBS SWITCHED DIGITAL SERVICE

#### SECTION 3 - RATE DETERMINATION

#### 3.2. <u>RATE APPLICATION</u> (Continued)

#### 3.2.3. Application Periods

Application periods shown below apply for 56/64 Kbps Switched Digital Service messages:

Rate <u>Period</u>	<u>From</u>	To, But Not <u>Including</u>	Days Applicable
1	8:00 AM	5:00 PM	Monday - Friday
2	5:00 PM	11:00 PM	Sunday - Friday
3	8:00 AM 8:00 AM 11:00 PM	11:00 PM 5:00 PM 8:00 AM	Saturday Sunday All Days

3.2.4.

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3.3. **USAGE CHARGES** 

#### 3.3.1. Rate Schedules

Α. Rates

Rate <u>Period</u>	Airline <u>Mileage</u>			
1	A11	\$.1660	\$.0172	
2	A11	. 1575	.0155	(C)
3	A11	.1575	.0155	